

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LOUVENIA GRACE,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.: 2:06-CV-1051-VEH
)	
JEFFERSON COUNTY)	
HOUSING AUTHORITY, et al.,)	
)	
Defendants.)	

Memorandum Opinion

Pending before the Court is the Motion to Dismiss (doc. 6) filed by Defendants Lewis McDonald, Judy Bryant, and Brenda Durham. Defendants are named in their official capacities in the Plaintiff's Complaint as follows:

1. Defendant Lewis McDonald is the Executive Director of JCHA.
2. Defendant Judy Bryan is the Section 8 Coordinator of JCHA.
3. Brenda Durham is Director of Shelter Care Plus Program of JCHA.


Plaintiff Louvenia Grace consents to the Defendants' Motion to Dismiss as it relates to the dismissal of the action against the Defendants in their official capacities as stated above. Therefore, the Motion to Dismiss as to Defendants Lewis McDonald, Judy Bryant, and Brenda Durham in their official capacities is

due to be **GRANTED**.¹

Furthermore, the Court acknowledges that specific language in the Plaintiff's Response is intended to amount to an application for a preliminary injunction.² Pursuant to Grace's request for a preliminary injunction, the Court hereby sets a hearing on such motion for **Tuesday, August 15, 2006** at 9:00 a.m.

A separate **ORDER** will be entered.

DONE this 2nd day of August, 2006.


VIRGINIA EMERSON HOPKINS
United States District Judge

¹ Any attempt to amend a complaint in this court must be done pursuant to the Federal Rules of Civil Procedure.

² "The Plaintiff sought preliminary injunctive relief in said complaint and ask[sic] that the Court set her claim for preliminary injunctive relief for a hearing as soon as possible." Plaintiff's Response to Defendants' Motion to Dismiss.